



AF 11600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rosenblum, Michael

FILED: May 26, 1999

SERIAL NO.: 09/320,156

FOR: Immunotoxins Directed Against c-erbB-2  
(HER-2/Neu) Related Antigens

§ ART UNIT:  
§ 1642  
§  
§ EXAMINER:  
§ Canella, Karen A  
§  
§ DOCKET: D5425CIP2  
§

TECH CENTER 1600/2900

DEC 04 2002

RECEIVED

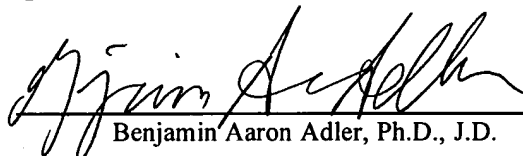
The Honorable Commissioner for Patents  
BOX AF  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify under 37 CFR 1.8 that the following correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to Commissioner of Patents and Trademarks, Box AF, Washington DC 20231. Please return the enclosed postcard acknowledging receipt of this correspondence.

Date:

Nov 27, 2002

  
Benjamin Aaron Adler, Ph.D., J.D.

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES AND  
PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 23, 2002 from the Primary Examiner, rejecting claims 15-19. Pursuant to 37 C.F.R. §1.136(a), Applicant hereby petitions that the period for response for the purpose of filing a Notice of Appeal, as governed by the Final Office Action mailed May 23, 2002, in the above-referenced patent application, be extended for three (3) months to and including November 23, 2002. Please debit the \$620 in fees (\$460, third month extension fee plus \$160, Notice of Appeal fee) under 37 C.F.R. §1.17(a) & (b) or any other fees due from Deposit Acct. 07-1185.


12/02/2002 SLUANG1 00000014 071185 09320156

01 FC:2253 460.00 CH  
02 FC:2401 160.00 CH

Date:

Nov 27, 2002  
ADLER & ASSOCIATES  
8011 Candle Lane  
Houston, Texas 77071  
(713) 270-5391  
BADLER1@houston.rr.com

Respectfully submitted,

  
Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423  
Counsel for Applicant